

HOUSE BILL NO. 421

INTRODUCED BY GOLIE, NOONAN, JACOBSON, VILLA, CLARK, EATON, RASER, MCALPIN,
GROESBECK, COHENOUR, CAMPBELL

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A QUALIFIED NONRESIDENT CHILD OF A RESIDENT TO PURCHASE CERTAIN NONRESIDENT HUNTING AND FISHING LICENSES AT A REDUCED RATE; CREATING A CLASS B-15 NONRESIDENT CHILD'S ELK LICENSE FOR USE ONLY BY A QUALIFIED NONRESIDENT CHILD OF A RESIDENT; ESTABLISHING THE CONDITIONS AND RATE OF THE LICENSES AVAILABLE TO A QUALIFIED NONRESIDENT CHILD OF A RESIDENT; AND PROVIDING A DELAYED EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. Section 1. Nonresident child of resident allowed to purchase nonresident licenses at reduced cost. (1) Except as otherwise provided in this chapter, a person who is not a resident, as defined in 87-2-102, but who is the natural or adopted child of a resident, as defined in 87-2-102, and who meets the qualifications of subsection (3) may purchase a Class B nonresident fishing license ~~and any general nonresident hunting license~~, A CLASS B-1 NONRESIDENT UPLAND GAME BIRD LICENSE, AND A CLASS B-7 NONRESIDENT DEER A TAG at the reduced cost specified in subsection (2) and may purchase a Class B-15 nonresident child's elk license as provided in [section 2]. This section does not allow a nonresident child of a resident to purchase nonresident combination licenses at a reduced price.

(2) The fee for a nonresident license purchased pursuant to subsection (1) is twice the amount charged for an equivalent resident license. The nonresident child shall also purchase a nonresident wildlife conservation license as prescribed in 87-2-202 [and pay the nonresident hunting access enhancement fee in 87-2-202(3)(d) if the nonresident child purchases a hunting license].

(3) To qualify for a license pursuant to subsection (1), a nonresident child of a resident shall apply at any department regional office or at the department's state office in Helena and present proof of the following:

(a) a birth certificate verifying the applicant's birth in Montana;

(b) a HIGH SCHOOL diploma from a Montana ~~high~~ PUBLIC, PRIVATE, OR HOME school or certified verification that the applicant has passed the general education development test in Montana; and

(c) proof that the applicant has a natural or adoptive parent who is a current Montana resident, as defined in 87-2-102.

(4) A qualified nonresident child of a resident may purchase licenses pursuant to subsection (1) for up to 6 license years after receiving a diploma or passing the general education development test as provided in subsection (3)(b).

(5) A nonresident child of a resident who has been issued a hunting license pursuant to this section is not eligible to apply for or be issued any nonresident special permit.

(6) A NONRESIDENT CHILD OF A RESIDENT WHO HAS BEEN ISSUED A HUNTING LICENSE PURSUANT TO THIS SECTION MUST BE ACCOMPANIED BY A LICENSED RESIDENT FAMILY MEMBER WHILE HUNTING IN THE FIELD.

NEW SECTION. Section 2. Class B-15 nonresident child's elk license. (1) Except as otherwise provided in this chapter, a nonresident child of a resident who is qualified to purchase licenses pursuant to [section 1] may purchase a Class B-15 nonresident child elk license for twice the amount charged for a resident Class A-5 elk tag.

(2) A Class B-15 license entitles the holder to hunt elk in areas designated by the commission, at the times and upon the terms set forth by the commission, and to possess the carcass of an elk authorized by the license as set forth in department rules.

NEW SECTION. Section 3. Codification instruction. [Sections 1 and 2] are intended to be codified as an integral part of Title 87, chapter 2, part 5, and the provisions of Title 87, chapter 2, part 5, apply to [sections 1 and 2].

COORDINATION SECTION. Section 4. Coordination instruction. If Senate Bill No. 77 is not passed and approved, then the bracketed language in [section 1(2) of this act] is void.

NEW SECTION. Section 5. Effective date. [This act] is effective March 1, 2006.

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